



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING November 1, 2016 COUNCIL CHAMBER, 735 ANACAPA STREET

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### CALL TO ORDER

Mayor Helene Schneider called the meeting to order at 2:00 p.m. (The Ordinance Committee met at 12:30 p.m. The Finance Committee, which ordinarily meets at 12:30 p.m., did not meet on this date.)

### PLEDGE OF ALLEGIANCE

Mayor Schneider.

### ROLL CALL

Councilmembers present: Jason Dominguez, Gregg Hart, Frank Hotchkiss, Cathy Murillo, Randy Rowse, Bendy White, Mayor Schneider.

Councilmembers absent: None.

Staff present: City Administrator Paul Casey, City Attorney Ariel Pierre Calonne, Deputy City Clerk Deborah L. Applegate.

### CEREMONIAL ITEMS

**1. Subject: Employee Recognition - Service Award Pins (410.01)**

Recommendation: That Council authorize the City Administrator to express the City's appreciation to employees who are eligible to receive service award pins for their years of service through November 30, 2016.

Documents:

November 1, 2016, report from the Administrative Services Director.

Speakers:

Staff: City Administrator Casey.

(Cont'd)

1. (Cont'd)

By consensus, the Council approved the recommendation, and the following employees were recognized:

5-Year Pin

Myndi Hegeman, Executive Assistant, Airport Department

Diego Martin, Finance Analyst I, Finance Department

10-Year Pin

Phillip Faulding, Firefighter, Fire Department

15-Year Pin

Ruben Gutierrez, Custodian, Public Works Department

Todd Johnson, Police Sergeant, Police Department

20-Year Pin

Brenda Craig, Finance Supervisor, Finance Department

25-Year Pin

Mark Howard, Risk Manager, Finance Department

Michael Johnson, Water Distribution Operator/Emergency Services,  
Public Works Department

Anthony Prieto, Streets Maintenance Crew Leader, Public Works Department

2. **Subject: Proclamation Declaring November 2016 As National Runaway Prevention Month (120.04)**

Action: Proclamation presented to Arianna Roster and Carrie Faulkner of Channel Islands. Noah's Anchorage Youth Crisis Shelter.

**PUBLIC COMMENT**

Speakers: Howard Green; Jose A. Navarrete, Santa Barbara Superior Court; W. Scott Burns, Donate Life.

**CHANGES TO THE AGENDA**

Item Removed From Consent Calendar

7. **Subject: A Resolution Denying The Appeals Of Pete Dal Bello And Of Jarrett Gorin And Upholding The Decision Of The Planning Commission Regarding Approval Of A Medical Marijuana Storefront Collective Dispensary At 118 N. Milpas Street (640.07)**

(Cont'd)

**7. (Cont'd)**

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Denying the Appeals of Pete Dal Bello and of Jarrett Gorin and Upholding the Decision of the Planning Commission Granting Approval of a Medical Marijuana Storefront Collective Dispensary Permit at 118 North Milpas Street, pursuant to Council's direction of May 10, 2016.

Documents:

- November 1, 2016, report from the City Attorney.
- Proposed Resolution.

The title of the resolution related to the item was read.

Motion:

Councilmembers Murillo/Hart to approve the recommendation: Resolution No. 16-064.

Vote:

Majority roll call vote. (Noes: Councilmembers Dominguez, Rowse, and White).

**CONSENT CALENDAR (Item Nos. 3 - 6, 8 - 9)**

The title of the ordinance related to the Consent Calendar was read.

Motion:

Councilmember Rowse/Hotchkiss to approve the recommendations.

Vote:

Unanimous roll call vote.

**3. Subject: Minutes**

Recommendation: That Council waive further reading and approve the minutes of the regular meeting of October 18, 2016.

Action: Approved the recommendation.

**4. Subject: Additional Funding For City TV Equipment Replacement Project (210.01)**

Recommendation: That Council increase appropriations by \$104,000 in the General Fund, General Government Program, from unappropriated General Fund reserves and transfer these funds into the Capital Outlay Fund for the City TV Equipment Replacement Project.

(Cont'd)

**4. (Cont'd)**

Action: Approved the recommendation (November 1, 2016, report from the City Administrator).

**5. Subject: Appropriation Of Auto Anti-Theft Funds For Advertising And Special Projects (520.04)**

Recommendation: That Council appropriate \$75,000 in the Fiscal Year 2017 Police Department Asset Seizure and Miscellaneous Grants Fund from available reserves for advertising and special auto anti-theft projects.

Action: Approved the recommendation (November 1, 2016, report from the Chief of Police).

**6. Subject: Introduction Of Ordinance For A Lease Agreement With Neil And Judi Bruskin, Doing Business As Mother Stearns Candy Company (570.03)**

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving and Authorizing the Waterfront Director to Execute a Lease Agreement with Neil and Judi Bruskin, a Sole Proprietorship, Doing Business As Mother Stearns Candy Company, 219-B Stearns Wharf, Commencing Upon the Effective Date of the Enabling Ordinance.

Action: Approved the recommendation (November 1, 2016, report from the Waterfront Director; proposed ordinance).

NOTICES

8. The City Clerk has on Thursday, October 27, 2016, posted this agenda in the Office of the City Clerk, on the City Hall Public Notice Board on the outside balcony of City Hall, and on the Internet.
9. Receipt of communication advising of vacancy created on the Harbor Commission with the resignation of Stephen MacIntosh. This vacancy will be part of the current recruitment.

This concluded the Consent Calendar.

**REPORT FROM THE ORDINANCE COMMITTEE**

Ordinance Committee Chair Rowse reported that the Ordinance Committee met to review amending Santa Barbara Municipal Code Chapters 14.04 and 14.08, updating and clarifying water metering requirements; and adding existing water metering requirements previously located in Chapter 22.04.

## CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

### PUBLIC WORKS DEPARTMENT

#### 10. **Subject: Stage Three Drought Update And Continuation Of Discussion On Additional Water Use Regulations (540.08)**

Recommendation: That Council:

- A. Receive an update on the status of the current drought, projected supply shortages, and continue the discussion on additional water use regulations;
- B. Authorize the Public Works Director to amend Professional Services Contract No. 21700032, with Katz and Associates, Inc., for public outreach on water supply and drought issues, increasing the original contract by \$52,294 for a total not to exceed of \$85,389, which includes \$4,754 in extra services of Katz and Associates, Inc., that may result from necessary changes in the scope of work; and
- C. Authorize the City Attorney to execute a Fourth Amendment to Legal Service Agreement No. 24,835 with Hanson Bridgett, LLP to increase the "Do Not Exceed Limit" from \$175,000 to \$200,000 related to legal service for ongoing Desal DBO contractual services.

Documents:

- November 1, 2016, report from the Public Works Director.
- PowerPoint presentation prepared and made by Staff.
- November 1, 2016, email from Courtney Jane Miller, ASLA.
- November 1, 2016, email from Katie Klein.
- November 1, 2016, handout from Lindsey Baker, League of Woman Voters Santa Barbara.
- November 1, 2016, handout from Anna Marie Gott.
- November 1, 2016, handout from Councilmember Dominguez.

Speakers:

- Staff: Water Resources Manager Joshua Haggmark; City Arborist Tim Downey; Water Conservation Specialist Madeline Ward; Parks and Recreation Director Jill Zachary.
- Members of the Public: Lindsey Baker; Anna Marie Gott; Natasha; Karen Martin.
- Water Commission: Commissioner Dave Davis.

Motion:

Councilmember Dominguez/White to approve the recommendations and direct staff to come back in a year with a plan to look at a possible AUD moratorium.

Councilmember White withdrew his second on the motion.

Motion died for lack of a second.

(Cont'd)

**10. (Cont'd)**

**Substitution Motion:**

Councilmember White/Rowse to approve the staff recommendations and direct staff to come back to Council with a recommendation that includes a ban on turf watering.

**Vote:**

Unanimous voice vote. Agreement No. 24,835.4.

**Recess:**

4:08 p.m. – 4:14 p.m.

**MAYOR AND COUNCIL REPORTS**

**12. Subject: Interviews For City Advisory Groups (140.05)**

**Recommendation: That Council:**

- A. Hold interviews of applicants to various City Advisory Groups; and
- B. Continue interviews of applicants to November 15, 2016.  
(Estimated Time: 4:00 p.m.)  
(Continued from October 25, 2016, Item No. 17).

**Documents:**

October 25, 2016, report from the Administrative Services Director.

**Speakers:**

The following applicants were interviewed:

**Access Advisory Committee:**

Nick Koonce

**Airport Commission:**

Karen Kahn

Kathryn A. McGill (Kathy)

**Architectural Board of Review:**

David R. Watkins

**Building and Fire Code Board of Appeals:**

Nick Koonce

Tariq R. Kadri

**Community Development and Human Services Committee:**

Ken Gates

Antonia Hood

Ashley Salvdor

Hector Sanchez

(Cont'd)

**12. (Cont'd)**

**Speakers (Cont'd):**

**Creeks Advisory Committee:**

Kristie A. Klose  
Jack Reed  
Kathryn A. McGill (Kathy)

**Library Board:**

Susette H.H.C. Naylor

**Neighborhood Advisory Council:**

Hector Sanchez  
Sally Foxen

**Parks and Recreation Commission:**

Kathryn A. McGill (Kathy)

**Planning Commission:**

June Pujo

**Rental Housing Mediation Board:**

Hector Sanchez  
Richard Axilrod

**Santa Barbara Youth Council:**

Michelle Qin

**Transportation and Circulation Committee:**

David Hodges

**Water Commission:**

Monty Cole

The Mayor stated that interviews will be held again on November 15, 2016.

**11. Subject: Request From Mayor Schneider And Councilmember Murillo For Resolution In Support of Standing Rock Sioux (800.01)**

**Recommendation:** That Council approve, by reading of title only, a Resolution of the Council of the City of Santa Barbara Expressing Solidarity With The Standing Rock Sioux Regarding The Dakota Access Pipeline, as requested in a Memo from Mayor Schneider and Councilmember Murillo.

**Documents:**

- November 1, 2016, report from the City Administrator.
- Proposed Resolution.

**Speakers:**

- Members of the Public: Gwen Garcia; Michael Kile, Student Activist Network; Andrew Gabriel Pragan; Andres Gomez; Nancy Caponi; Faith Grace Magdalena, Support Standing Rock; Marcus Lopez; Casmali

(Cont'd)

**11. (Cont'd)**

**Speakers (Cont'd):**

- Lopez; Aurora Marquez; Michael Cordero; Gabriela O'Neal; Bryanne Burnett; Diego Cordero; Dr. Myra Miller, PhD, Mother Earth Council; John Johnson, Santa Barbara Museum of Natural History; Keri Bradford, University of Santa Barbara American Student Association.

**Motion:**

Councilmembers Murillo/Schneider to approve the recommendation; Resolution No. 16-065.

**Vote:**

Majority roll call vote. (Abstention: Councilmember Rowse; Noes: Councilmember Hotchkiss).

**COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**

**Information:**

Councilmember Murillo reported she held office hours in the park over the weekend, attended the City Affordable Housing Task Force meeting, and attended a meeting with CA Concern.

**RECESS**

The Mayor recessed the meeting at 6:03 p.m. in order for the Council to reconvene in closed session for Agenda Item No. 13, and she stated that no reportable action is anticipated.

**CLOSED SESSIONS**

**13. Subject: Conference With City Attorney - Pending Litigation (160.03)**

**Recommendation:** That Council hold a closed session to consider pending litigation pursuant to subsection (d)(1) of section 54956.9 of the Government Code and take appropriate action as needed. The pending litigation is *Santa Barbara Channelkeeper v. City of Santa Barbara*, USDC Case No. CV-1103624 JHN (AGRx)

**Scheduling:** Duration, 15 minutes; anytime.

**Report:** None anticipated.

**Documents:**

November 1, 2016, report from the City Attorney.

**Time:**

6:05 p.m. – 7:05 p.m.

**ADJOURNMENT**

Mayor Schneider adjourned the meeting at 7:05 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

  
\_\_\_\_\_  
HELENE SCHNEIDER  
MAYOR

ATTEST:

  
\_\_\_\_\_  
DEBORAH L. APPLGATE  
DEPUTY CITY CLERK

